



CITY OF SAN DIEGO

CHAIRPERSON'S REPORT

TO THE:

CITY COUNCIL STRONG MAYOR-STRONG COUNCIL TRANSITION COMMITTEE

Scott Peters, District 1, Chair
Michael Zucchet, District 2 Councilmember
Toni Atkins, District 3 Councilmember
Tony Young, District 4 Councilmember
Brian Maienschein, District 5 Councilmember
Donna Frye, District 6 Councilmember
Jim Madaffer, District 7 Councilmember
Ralph Inzunza, District 8 Councilmember

DATE: July 13, 2005

ATTENTION: City Council Transition Committee
Meeting of July 14, 2005

SUBJECT: Legislative Process (ITEM-1)

Issues

1. Who can introduce an issue for Council consideration and how?
2. What are the roles of the Council President and Committee Chairs in this process?
3. What is the role of Committee review ?
4. Should all items be referred to a Committee?
5. Should any items be referred to multiple committees?

CHAIR'S RECOMMENDATIONS:

Adopt Dewey Square's recommendation with the following modifications:

1. **Allow members to submit ideas that have not gone through the drafting phase for "introduction to a committee."**

Dewey Square Group Recommendation: The legislative review process would begin only after a proposal has been drafted into a completed ordinance.

The Chair's recommendation recognizes that historically, committees have served as venue for development and discussion of ideas with legal drafting occurring after public input has shaped the proposal. This change retains the ability for committees to act as venues for the development of ideas.

2. Allow the President to identify which items should be referred to a committee and which should be docketed directly to City Council

Dewey Square Recommendation: All legislation be referred to committees before being placed on the Council agenda.

The Chair's recommendation is a more realistic approach to workload management for the Council Committees. Given that an average council meeting may consist of 50 – 100 total items, even with four or five committees, the number of items that would have to be processed by committees would exceed the current time allotted to committee meetings. Moreover, a significant number of items which the Council reviews are routine in nature. Those items should continue to be heard without the need for intermediate committee review. Although the Council may decide if there are routine items that should be taken up upon introduction, the President should also have this discretion.

3. Allow Committee Chairs to bring items to their committees on their own initiative.

Dewey Square Recommendation: Committees may only take up items referred to them by the Council President.

Adopting the Chair's recommendation would retain the current privilege of committee chairs to develop an agenda around the subject matter jurisdiction of their committee and bring items through the committee for eventual Council consideration.

4. Create a mechanism whereby the Council President can docket an item for council consideration that is "stuck in committee."

Dewey Square Group Recommendation: Items which have not been referred back to Council within 30 days can be docketed to the full council by a majority vote of the Council.

The Chair's recommendation would retain that power, but give the Council President that same ability.

5. Retain the current Land Development Code (“LDC”) prescribed processes for quasi-judicial land-use issues in lieu of additional committee review.

Dewey Square Group Recommendation: Quasi-judicial matters, including those that have had been reviewed by the Planning Commission would also be referred to a Council Committee.

The Chair’s recommendation recognizes that the City currently has a well developed system of preliminary and advisory public review of quasi-judicial land-use items in the form of Community Planning Group and Planning Commission review. Additional review by a committee would add time to an already lengthy process.

6. Do not allow referral to multiple committees.

Dewey Square Group Recommendation: At the discretion and assignment of the President of the Council, a piece of legislation may be referred to multiple committees.

The Chair recommends retaining the current practice of referring legislation to only one committee. The practice of referral to multiple committees may work well for large legislative bodies where committees are comprised of a relative minority of the overall body size. It allows each committee to focus its attention on a very narrow aspect of a given proposal and the overall body benefits from these multiple focused reviews. In San Diego’s case, the Council is comprised of only eight members, and the membership of each committee will overlap in most cases at least in part. As such, multiple reviews may instead add time and inconsistency of recommendations but with relatively minor benefit of truly focused review and result in the same members seeing an issue on multiple occasions

Citizens’ Advisory Committee

The Citizens’ Advisory Committee reviewed the Legislative Process report at their meeting on July 8, 2005. At the time this report was finalized, their recommendations were not available and will be provided as a separate document.

Respectfully submitted,

Councilmember Scott Peters
Chair, Council Transition Committee